

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,	)	
<i>et al.</i> ,	)	
	)	No. C93-5462B
Plaintiffs,	)	
	)	
v.	)	
	)	
PORT OF TACOMA,	)	ORDER DIRECTING
	)	DISBURSEMENTS FROM
Defendant.	)	REGISTRY OF THE COURT
_____	)	

The United States has filed an Application for an Order Directing Disbursements From the Registry of the Court. Said Application requests that the disbursements be made from the funds on deposit with the Registry of the Court in connection with this matter. The materials submitted by counsel and all other pertinent parts of the record have been fully considered.

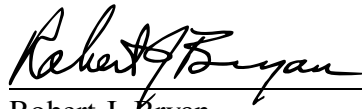
The Application filed by the United States describes the purpose of the disbursements as funds for contracting for restoration construction and reimbursement for NRD restoration purposes. The Application describes the procedures by which the Trustee Council approved the expenditures and includes documentation of the Council's actions.

Having reviewed the Application and attachments, and being fully informed in these proceedings, the Court finds that the requested disbursements are consistent with the terms of the Consent Decree and have been authorized by the Trustee Council. The Application is granted. The Clerk is hereby ordered to disburse from the funds on deposit in the *United States et al. v. Port of Tacoma* Commencement Bay Restoration Account, made payable and addressed as follows:

<b>Payee/Address</b>	<b>Amount:</b>
National Oceanic and Atmospheric Administration NOAA/NOS/OR&R Attn: Kathy Salter, DARRF Manager 1305 East-West Highway SSMC 4, Room 9331 Silver Spring, MD 20910-3281 Check Notation: ComBay construction contract	<b>\$797,894.00</b>
City of Tacoma-City Treasurer TPU Finance P.O. Box 11007 Tacoma, WA 98411-0007 Attn: LaVon Hall, #ENV-0020	<b>\$148,072.27</b>

**IT IS SO ORDERED.**

DATED this 29<sup>th</sup> day of August, 2005.

  
Robert J. Bryan  
United States District Judge

ORDER DIRECTING  
DISBURSEMENTS - 2

*U.S. Department of Justice  
NOAA GC-DOJ DARC  
7600 Sand Point Way N.E.  
Seattle, WA 98115-0070*

1 Presented by:

2 s/ James L. Nicoll

3 James L. Nicoll

4 U.S. Department of Justice

5 Environmental Enforcement Section

6 NOAA GC-DOJ DARC

7 7600 Sand Point Way N.E.

8 Seattle, WA 98115

9 (206) 526-6616

10 james.nicoll@usdoj.gov

11 efile\_seattle.enrd@usdoj.gov

August 16, 2005

Dated

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
ORDER DIRECTING  
DISBURSEMENTS - 3

*U.S. Department of Justice  
NOAA GC-DOJ DARC  
7600 Sand Point Way N.E.  
Seattle, WA 98115-0070*